1064

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PART III.

LEGISLATIVE MEASURES AND RULES THEREUNDER.

REGULATION No. IX OF 1901.

(PASSED ON THE 10TH DAY OF DECEMBER 1901.)

A Regulation to amend the Mysore Forest Regulation, 1900.

Whereas it is expedient to amend the Mysore Forest Regulation, 1900; Her Highness the Maharani-Regent is pleased to enact as follows:—

Preamble.

Short title.

Commencement.

1. (1) This Regulation may be called the Mysore Forest (Amendment) Regulation, 1901; and

(2) It shall come into force at once.

Amendment of section 29 of Regulation

2. From section 29 of the Mysore Forest Regulation, 1900, the words "demanding his aid" shall be omitted before clause (*a*), and after clause (*b*) the following shall be inserted, namely:—

"and shall assist any Forest or Police officer demanding his aid—

Insertion of sections 36A and 36B.

3. After section 36 of the said Regulation, the following sections shall be inserted, namely:—

"Suspension of rights in cases of fires caused wilfully or by gross negligence."

"36A. Whenever fire is caused wilfully or by gross negligence in any land placed under special protection under clause (iii) of section 35, the Government may (notwithstanding the infliction of any punishment under this Regulation) direct that in such land, or any specified portion thereof, the exercise of all or any rights of pasture or to forest produce shall, for such period as it thinks fit, be suspended."

"Persons bound to assist Forest officer and Police officer."

"36B. Every person who exercises any right in any land placed under special protection under clause (iii) of section 35, or who is permitted to take any forest produce from, or to cut and remove timber or to pasture cattle in, such land, and every person who is employed by any such person in such land, and every village officer or person in any village contiguous to such land who is employed by Government, shall be bound to furnish without unnecessary delay to the nearest Forest officer or Police officer any information he may possess respecting the occurrence of fire in or near such land or the commission of, or intention to commit, any forest offence, and shall assist any Forest or Police officer—

(*a*) in extinguishing any fire occurring in such land,

(*b*) in preventing any fire which may occur in the vicinity of such land from spreading into such land,

and shall assist any Forest or Police officer demanding his aid—

(*c*) in preventing the commission in such land of any forest offence, and

(*d*) when there is reason to believe that any such offence has been committed in such land, in discovering and arresting the offender."

P. N. KRISHNAMURTI

NOTIFICATION.

No. 9007—*Legis.* 56, *dated Bangalore, the* 11*th December* 1901.

I. With reference to sub-section (2) of section 1 of the Mysore Game and Fish Preservation Regulation, II of 1901, it is hereby notified that the local area to which the Regulation extends shall comprise all the Districts in the Mysore State.

II. 1. In exercise of the powers conferred by the said Regulation, II of 1901, the Government of Mysore are further pleased to prescribe the following Rules, which shall come into force throughout the State on the 1st day of February 1902 :

Provided that, as regards State Forests, and lands specially protected under section 35 of the Mysore Forest Regulation, XI of 1900, the operation of these rules shall be subject to the provisions of the said Forest Regulation and the rules, if any, framed thereunder.

2. The killing of monkeys, Brahman kites, parrots, and birds of song is absolutely prohibited :

Provided that any owner or occupier of land may kill (as well as capture or pursue) monkeys or parrots doing damage to fruit or other crop growing thereon, so far as the same may be necessary for the protection of the crop.

3. The killing or capture of birds with bright colored plumage, of pea-fowl, and (except with the special permission of Government) of antelope, is prohibited in all parts of the State for a period of three years from the coming of these rules into force.

4. The following acts in respect of any stream or lake (*i. e.*, tank) with a view to the capture or destruction of fish are forbidden, that is to say,—the poisoning of water, the placing or throwing of dynamite or other explosive or deleterious substance in water, the setting of fixed engines, and the use of nets having a mesh below two inches in the case of perennial streams and one inch in other cases.

5. Deputy Commissioners are authorised to declare, from time to time, by notification in Part II of the *Mysore Gazette*, all or any streams or lakes or any portion of the same to be closed against fishing during any year or part of a year or during the spawning season, and, in like manner, to prohibit for like periods, the capture or destruction of any particular species of fish therein.

Explanation.—The spawning season is as follows :—

as regards streams running to the west-coast—from 1st March to 31st August;

as regards streams running to the east-coast—from 1st May to 30th November;

in other cases—from 1st June to 31st December ;—both days inclusive.

6. It shall not be lawful for any person to kill—

(*a*) hares, or any description of feathered game other than migratory birds (*i. e.*, other than duck and teal), between the 1st of March and the 1st of September in any year ;

(*b*) duck or teal, between the 1st of May and the 1st of October in any year ;

(*c*) the females, whether mature or otherwise, or the immature males, of bison, sambhar, antelope, ibex, or any variety of deer, at any time of the year ; and

(*d*) any other game between the 15th of June and the 15th of October in any year.

7. The taking out or destruction of the eggs of game birds is absolutely prohibited.

8. (*a*) No person shall sell or expose for sale any kind of game during the close season prescribed in these rules.

(*b*) Deputy Commissioners are authorised to prohibit the sale of fish in the neighbourhood of any stream or lake or portion thereof closed against fishing under rule 5, or the sale in such neighbourhood of any species of fish of which the capture or killing may have been prohibited under that rule :

Provided that nothing herein shall apply to fish which the person selling or attempting to sell the same can prove to have been caught in some place where its capture was not unlawful.

(*c*) It shall not be lawful for any person to sell game or fish at any time within the limits of any Municipality unless he shall have obtained a license in this behalf from the President or Vice-President of the Municipality, on payment of a fee of 4 annas, such license being renewable at the end of every year on payment of a like fee.

9. Except to the extent permitted under section 12 of the Regulation, no person shall shoot at and kill game, or attempt so to do, without a license in the form appended to these rules, to be obtained from the Magistrate of the District on payment of a fee of five rupees. The District Magistrate shall be at liberty either to grant or to refuse to grant a license ; or, if satisfied that the conditions of a license have not been complied with, whether wholly or in part, to withdraw or cancel the same at any time.

10. A license granted under the preceding rule shall cover only the individual in whose name it was issued, and shall not be transferable to any other person. It shall be available only till the expiration of the calendar year for which it was granted ; but it may be renewed, previous to such expiration, on payment of a second fee.

Such license shall, on payment of a further fee of twenty rupees, and on countersignature by the Conservator of Forests in the case of State Forests and lands specially protected under section 35 of the Mysore Forest Regulation, and in other cases by the Inspector General of Police or other officer authorized in this regard by the Government, be valid for all the Districts in the State.

11. The power to arrest offenders under the circumstances referred to in section 11 of the Regulation, (*i. e.*, where the offence is committed in the view of the person making the arrest and the offender on demand refuses to give his name and address or gives a name and address which there is reason to believe is false) may be exercised by the following persons, namely:—

all Forest Officers including Forest guards;
all Police Officers including constables; and
all officers of the Revenue Department (including land revenue, excise, sayer, &c.,) of or above the rank of Patel or Shanbhog.

12. Any person holding a license granted under these rules shall be bound to produce the same when called upon to do so by a Magistrate or by any of the persons enumerated in the preceding rule.

13. Any breach of the above rules will render the offender liable on conviction to the penalty provided in section 8 of the Regulation, namely, fine not exceeding one hundred rupees.

H. V. NANJUNDAYYA,
Secy. to Govt., Gen. & Rev. Depts.

(Counterfoil.)

To be retained by the issuing officer.

License for the pursuit of Game.

Permission is granted to..... to pursue game in the..... District during the calendar year ending the 31st December 190 , subject to the provisions of the Mysore Game and Fish Preservation Regulation, 1901, and of the rules thereunder and to all local rules in force under the authority of the Deputy Commissioner.

.....190 .

District Magistrate.

LICENSE

for the pursuit of Game.

Permission is granted to..... ..... to pursue game in the..... District during the calendar year ending the 31st December 190 , subject to the provisions of the Mysore Game and Fish Preservation Regulation, 1901, and of the rules thereunder (which are printed below for reference) and to all local rules in force under the authority of the Deputy Commissioner.

.....190 .

District Magistrate.

(Here print the rules, and continue if necessary on the reverse)

Notification No. 9245—*Ex. F.* 3-1901, *dated* 14*th December* 1901.

In exercise of the powers conferred by Sections 10 and 13 of the Mysore Excise Regulation, V of 1901, the Government of Mysore hereby direct that no liquor or intoxicating drug exceeding the quantity prescribed below, shall be transported or possessed by any person except under a permit or license granted by the Deputy Commissioner or by any person duly empowered in that behalf:—

Kind of liquor or drug.	*Quantity.*
Arrack and other country spirits ...	One reputed quart or 8½ Mysore drams.
Toddy	Two imperial quarts or half a gallon.
Country beer...	One imperial quart or one-fourth of a gallon.
Akkibhoja	Two imperial quarts or half a gallon.
Ganja	Four tolas.

By Order,

H. V. NANJUNDAYYA,
Secy. to Govt., Gen. & Rev. Depts.